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35 USC 112 Rejections

1. The claim language has been revised to exclude the use of the terms "space of fields" .
2. The claim language has been amended to recite methods.
3. The claim language has been amended to address antecedent requirements.

35 USC 101 Rejections

The claims as amended exclude non-statutory subject matter as required.

35 USC 102 RejectionsClaim 1:

The examiner notes that Krysiak reads on the claims. The applicant submits that Krysiak has a different use of terms. The Knowledge Domains of Krysiak are fields of knowledge, and the Trust Networks in the terminology of Krysiak are the networks of people that have an association with a particular field in that knowledge network that can assess the professional competence of a member based on their knowledge of that field.

There is no reference in Krysiak to a Trust Network or Layer as in the present invention, as an integrity issue vital for professional collaboration for the creation of economic value. The present invention identifies and combines critical information for the formation of collaboration networks for creating economic value using one or more social network with one or more linked professional networks not available in the background art.

Claim 2:

The applicant submits that the Trust network of Krysiak relates to a network of people in the Professional Domain. The Present invention relates to social networks that create the Trust Layer (see for example Fig 4 – campus, village, building etc unrelated to professional activity)

Claim 3:

Claim 3 has been amended and no longer contains the language objected to by the examiner. Reference to the current form of the claim is in Fig 8,9, 10.

Claim 4:

The applicant submits that the Claim 4 as revised is not anticipated by Krysiak.

Claim 5:

The applicant submits that the Claim 5 as revised is not anticipated by Krysiak.

Claim 11:

Cancelled.

Claim 12:

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The applicant submits that the claim as amended has experts that need to inhabit a Trust Layer for the integrity evaluation that is not available in Krysiak.

35 USC 112 Rejections

Claims 6-9:

Claims 6-9 are currently amended.

The examiner states that it would have been obvious to anyone with skill in the art to have used knowledge in the business world of assurances to the application in the present invention. The applicant respectfully submits that nothing in the background art teaches the use of guarantees and assurances in either a Trust Layer or a Professional Layer as in the present invention.

First, with regard to the proposed combination of Krysiak and the assurances in the business world. It is well known that that in order for any prior-art references themselves to be validly combined for use in a prior-art § 103 rejection, the *references themselves* (or some other prior-art) must suggest that they be combined. E.g., as was stated in In re Semaker, 217 U.S.O.Q. 1.6 (C.A.F.C.1983):

"[P]rior art references in combination do not make an invention obvious unless something in the prior-art references would suggest the advantage to be derived from combining their teachings."

That suggestion to combine should not come from applicant was forcefully stated in Orthopedic Equipment Co. v. United States, 217 U.S.P.Q. 193,199 (CAFC 1983):

"It is wrong to use the patent in suit [here the patent application] as a guide through the maze of prior art references, combining the right references in the right way to achieve the result of the claims in suit [here the claims pending]. Monday morning quarterbacking is quite improper when resolving the question of nonobviousness in a court of law [here the PTO]."

As was further stated by Uniroyal, Inc. v. Rudkin-Wiley Corp., 5 U.S.P.Q.2d 1434 (C.A.F.C. 1988),

"[w]ere prior art references require selective combination by the court to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gleaned from the invention itself....*Something in the prior art must suggest the desirability and thus the obviousness of making the combination.*" [Emphasis supplied].

In line with these decisions, recently the Board stated in Ex parte Levengood, 28 U.S.P.Q.2d 1300 (P.T.O.B.A.&I. 1993):

"In order to establish a prima facie case of obviousness, It is necessary for the examiner to present *evidence*, preferably in the form of some teaching, suggestion, incentive or inference in the applied prior art, or in the form of generally available knowledge, that one having ordinary skill in the art *would have been led* to combine the relevant teachings of the applied references in the proposed manner to arrive at the claimed invention. That one can *reconstruct* and/or explain the theoretical mechanism of an invention by means of logic and sound scientific reasoning does not afford the basis for an obviousness conclusion unless that logic and reasoning also supplies sufficient

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impetus to have led one of ordinary skill in the art to combine the teachings of the references to make the claimed invention..... Our reviewing courts have often advised the Patent and Trademark Office that it can satisfy the burden of establishing a prima facie case of obviousness only by showing some objective teaching in either the prior art, or knowledge generally available to one of ordinary skill in the art, that 'would lead' that individual 'to combine the relevant teachings of the references.'Accordingly, an examiner cannot establish obviousness by locating references which describe various aspects of a patent applicant's invention without also providing evidence of the motivating force which would impel one skilled in the art to do what the patent applicant has done."

In the present case there is no reason given in the Office Action to support the proposed combination, other than the statement:

"It would have been obvious to one of ordinary skill in the art at the time the invention to seek reputation guarantees as doing so minimizes, distribute, or passes the risk taken to others when undertaking an economic venture"

However the fact that both references taken together teach separately and independently, some aspects of the Claims 6-9, is not sufficient to gratuitously and selectively combine parts of one reference with the part of another reference in order to meet applicant's novel claimed combination.

Moreover, the Office Action inference above that the combination as noted by the examiner, produce an advantage. Applicant submits the fact that the combination produces advantages militates in favor of the *applicant* because it proves that the combination produces new and unexpected results and hence is unobvious.

As stated in the above Levensgood case,

"That one can reconstruct and/or explain the theoretical mechanism of an invention by means of logic and sound scientific reasoning does not afford the basis for an obviousness conclusion unless that reasoning also supplies sufficient impetus to have led one of ordinary skill in the art to combine the teachings of the references to make the claimed invention."

Applicant therefore submits that combining Krysiak and the assurances in the business world is not legally justified and is therefore improper.

Second, the use of multi-link chained guarantees for reputation and trust, in the present invention, is unprecedented in the background art. The examiner notes the presence of Credit default swaps re-insurance, credit ratings and underwriting and other financial instruments that depend heavily on the balance sheets of the writers of these contracts and /or are dependant on the aggregate statistics of default or performance often in pools of securities or contracts and are may be economic for large transactions.

The present invention in contrast to these instruments uses the special trust structure of the chain of trust in a thread to enable the creation of a new instrument for risk management. Such an instrument cannot exist without the establishment of the chain of trust and is enabled by a complete chain of risk mitigation offerings from the Match to the Originator as established in the present invention. Each leg of the instrument in a link is contingent on the offering of the instrument in the prior leg or link. It becomes considerably more credible when one or more complete threads extend between the Match and the originator.

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Thus the applicant respectfully submits that the rejection on these references is also improper and should be withdrawn.

Claim 10:

The examiner states that "it would have been obvious to one skilled in the art at the time of the invention to incorporate the bidding system of Walker with the Trust Networks and Knowledge Domains of Krysiak".

First, the applicant respectfully submits that for the reasons stated herein Krysiak does disclose a Trust Layer but rather refers to the network of those that inhabit the Knowledge Layer as the Trust Network. Therefore combination of Krysiak with any other reference even if taught in the background art does not anticipate the present invention.

Second, for the reasons noted above, the applicant respectfully submits that combination of two or more references if not taught in the background art is not proper.

Thus the applicant respectfully submits that the rejection on these references should be withdrawn.

Conclusion

For all the above reasons, the applicant submits that the Claims as revised define patentability over the prior art. The Applicant has attached mark ups for entry for changes in the specification, abstract and claims.

Very respectfully,



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Att:

1. Mark up Claims
2. Amended Claims
3. Marked up Specification and Abstract
4. Amended Specification and Abstract
5. Fee for one month delay in response.



Claims

1[CURRENTLY AMENDED] A method for business decision support for creating a part of an economic organization comprising:

.identifying the professional elements of the required economic organization by an originator;

.venture for each of said elements accessing evaluating human resources utilizing an information network with a plurality of members— a Professional Collaboration Network comprising entries of members including said originator, said Professional Collaboration Network comprising a:

at least one Professional Layer -with common members with at least one Trust Layer;

.broadcasting the at least one Professional Layer comprising entries of communications between members of the Professional Layer, resulting in the accumulation of information on inferred professional competence wherein the professional ability of said members may be assessed using third party knowledge of said members;

.identifying at least one match and related bid for the professional element in the Professional Layer with the required Professional competence;

.querying the at least one Trust Layer of the Professional Collaboration Network comprising trust linkages representing trust measures, between members of the Professional Collaboration Network for said match;

.obtaining in response from the Professional Collaboration Network, communications from a set of members –first level trust members - that affirm a level of trust of the match;

.querying at least one Trust Layer of the Professional Collaboration Network comprising trust linkages affirming trust measures of said first level trust members, of the Professional Collaboration Network for each of said first level trust members;

.obtaining in response from the Professional Collaboration Network, communications from a set of members –second level trust members - that affirm a level of trust of the first level trust members for each of the first level trust members;

.iteratively as in the last two steps obtaining a chain of trust linkages with communications between corresponding n^{th} and $(n+1)^{th}$ level trust members to

affirm a level of trust of the nth level trust member by the (n+1)th level trust member thereby building a connection thread;

.terminating the iterations of the last step when a predetermined number -M- of trust members of level (n+1) or less are determined to be the originator thereby generating M complete connection threads;

.computing one or more aggregate trust measures from the resulting M or less, iterative trust levels available to the originator;

.originator selecting the preferred member for the professional element based on the bids, professional competence and trust measures of each match;

.thereby providing a method for building an economic organization.

~~at least one Trust Layer with members, with linkages generated by dialog, thereby generating at least one connected network of members comprising pairs of connected members and each member of each of said connected networks of members being connected to every other member of said connected network through a series of pair-wise connections between members of said Trust Layer in said connected network, and wherein a unique path along said pair-wise linkages between any two of said members with any one pair-wise linkage traversed only once, is a connection thread;~~

~~a user of the decision support system, with access to said response histories of members of at least one of said Professional Layers and linkages between members of at least one of said Trust Layers, wherein said user evaluates an evaluated member wherein said evaluated member is a member of at least one of said Professional Layers and at least one of said Trust Networks;~~

~~thereby enabling the user of the decision support system to evaluate the professional reputation of said evaluated member using the response history of said evaluated member and references of members in a connected network to which said evaluated member belongs.~~

2. [CURRENTLY AMENDED] A method for business decision support for creating an economic organization ~~venture~~ as in claim 1, wherein the PCN has multiple Trust Layers and wherein a strength of linkage in said trust network between pairs of members comprises at least one of the nature of, and the frequency of dialog between said pairs of members.

3. [CURRENTLY AMENDED] A method for business decision support for creating an economic organization ~~venture~~ as in claim 1, wherein said Professional Layer comprises a method to assess the professional competencespace of members by: fields is a ~~Euclidean space with dimensions representing fields.~~

.creating a forum for interaction of the members and treads for each discussion topic;

.visually representing components of professional fields of members along multiple axes representing multiple field types, about an origin, wherein the distance from the origin represents the level of competence;

.visually representing each posting of each member on said forum with components of professional field content in the posting along multiple axes representing multiple field types, about an origin, wherein the distance from the origin represents the proportion of content in each relevant field;

.visually representing each response to a posting or another response of each member on said forum with components of professional field content in the posting along multiple axes representing multiple field types, about an origin, wherein the distance from the origin represents the proportion of content in each relevant field;

.thereby creating a tree of different field strength components with accumulated responses;

.accumulating the contributions of each member ;

.using the accumulated contributions of members to assess professional competence in any of the fields represented as dimensions.

4. [CURRENTLY AMENDED] A method for business decision support for creating an economic organization with a Professional Layer as in claim 3, wherein the termination of any branch of the tree from any thread provides information on the professional competence of the last contributor to the thread.

5. [CURRENTLY AMENDED] A method for business decision support for creating an economic organization-venture as in claim 1, wherein said originator is a member-references of a different Trust Layer-members are from members with direct linkages to the Match-evaluated member.

6. [CURRENTLY AMENDED] 5. A method for business decision support for creating an economic venture as in claim 1,

~~wherein said user of said decision support system is a member of said Trust Layer and said Evaluated member and said user belong to the same connected network, and wherein said user references are generated by pair wise evaluation along one or more connection threads of a reputation of each member along said connection thread from said user to the member of the connected network with a linkage to the Evaluated Member, in conjunction with the reference of the Evaluated Member.~~

6. A method for business decision support for creating an economic venture as in claim 1, wherein the Trust layer further comprises the (n+1)th level trust member offering a guarantee for the integrity of an nth level trust~~said reputation provided by a first member contingent on the nth level trust of a second member offering a guarantee for the integrity of an (n-1)th level trust member with a direct linkage along a connection thread is guaranteed thereby creating a reputation guarantee along a complete linkage, and each of the linkages in said connection thread, have reputation guarantees thereby creating a guaranteed connection thread.~~

7. [CURRENTLY AMENDED] A method for business decision support for creating an economic venture as in claim 6, wherein said connection thread extends from the originator to the match providing a continuous connection thread available to the originator for purchase.

~~wherein said guarantees are provided for a guarantee fee paid by the user.~~

8. [CURRENTLY AMENDED] A method for business decision support for creating an economic organization as in claim 1, wherein a fee is paid by the PCN for one or more trust measures obtained from members.

9. [CURRENTLY AMENDED] A method for business decision support for creating an economic organization~~venture as in claim 7, wherein a payout related to the guarantee fee is paid by each of said guarantors if the reference proves to be invalid.~~

~~9. A method for business decision support for creating an economic venture as in claim 8, wherein a financial institution underwrites one or more of said reputation guarantees.~~

10. [CURRENTLY AMENDED] A method for business decision support for creating an economic venture as in claim 1, further comprising a bidding system wherein said originator~~user may publish specifications for participation of one or more of said members and invite bids for participation and thereafter utilize the Trust Layer and the Professional Layer to evaluate prospects in the context of bids received.~~

11. [CANCEL]

12. [CURRENTLY AMENDED] A method for business decision support for creating an economic venture as in claim 1, wherein said Professional layer comprises experts who can evaluate a member and are members of at least one Trust layer.

13. [NEW] A method for risk mitigation in a transaction between the writer of a contract and the proposed executor of the contract for an agreed compensation by:

.identifying a trust network wherein the writer of the contract and the executor of the contract are members and wherein in said trust network, each member of said trust network has at least one linkage representing trust between said member and another member in the trust network thereby creating trust linkages between pairs of members;

.querying the trust network comprising trust linkages, between members, to identify linkages to the proposed executor of the contract;

.obtaining in response from the trust network, communications from a set of members –first level trust members - that affirm a level of trust of the proposed executor of the contract;

.querying the trust network comprising trust linkages for affirming trust of said first level trust members, for each of said first level trust members;

.obtaining in response from the trust network, communications from a set of members –second level trust members - that affirm a level of trust of the first level trust members for each of the first level trust members;

.iteratively as in the last two steps obtaining at least one chain of trust linkages with communications between corresponding n^{th} and $(n+1)^{th}$ level trust members to affirm a level of trust of the n^{th} level trust member by the $(n+1)^{th}$ level trust member thereby building a connection thread;

.terminating the iterations of the last step when a predetermined number –M- of trust members of level $(n+1)$ or less are determined to be the writer of the contract, thereby completing M complete connection threads of trust linkages between the proposed executor of the contract and the writer of the contract;

.sequentially query starting from the first trust level members and ending with the trust level member with a direct trust linkage to the writer of the contract along each identified connection thread, each trust level member in each connection thread to affirm interest in guaranteeing, for a fee, a level of performance on the contract, contingent on a guarantee on the level of performance on said contract by the preceding trust level member in the same connection thread, wherein the guarantee on the level of performance contingent on ;

.compile for the writer of the contract along each complete connection thread
the cumulative conditional offered guarantees;

.thereby providing a method for mitigating risk in a transaction between
members of the trust network.

14.[NEW] A method for risk mitigation in a transaction between the writer of a contract
and the proposed executor of the contract for an agreed compensation as in claim 13,
further comprising a third party offering a supplemental guarantee to at least one of
the conditionally offered guarantees.

